

Written



LEAGUE OF WOMEN VOTERS OF CONNECTICUT, INC.

**CGA Government Administration and Elections Committee
March 11, 2013 Public Hearing**

Comments provided by: Susan Voris, Election Laws Specialist

My name is Susan Voris. I am the Election Laws Specialist for the League of Women Voters of Connecticut. As a statewide organization with over 1600 members, the League is dedicated to improving the electoral process.

HB 6291 – An Act Concerning Absentee Voting by Certain Town Officials.

The League supports HB 6291. We believe that absentee ballots should be available to any elector for any reason. In this case, Registrars of Voters, Town Clerks and their staffs would be making use of absentee ballots during an election, primary or a referendum where they are attending to their duties as election officials during all hours of voting.

HB 6427 – An Act Concerning Polling Places for Primaries.

The League supports HB 6427. We believe there are procedures in this bill to adequately inform candidates and voters of the change in polling place and to minimize voter inconvenience. Just as federal/state elections are often not held in the same polling place as a municipal election, consolidating polling places for primaries once electors become used to a location should not be an inconvenience to the voters. In a general election, there is only one moderator and an increased voter turnout. Primaries, in most cases, have a significantly lower voter turnout and it makes fiscal sense to consolidate polling places. We urge your support for HB 6427.

HB 6428 – An Act Enabling Towns to Check Voters in Electronically.

The checker's job is to identify the elector to prevent voter fraud. Depending on the format used, checking electors in electronically could be quicker and allow for a smoother election process. The League supports allowing Towns to check voters in electronically in concept; however, we are concerned that HB 6428 does not set any standards or procedures for the use of electronic check-ins.

HB 6429 – An Act Concerning Overvotes for Cross-Endorsed Candidates.

The League is opposed to HB 6429 AAC *Concerning Overvotes for Cross-Endorsed Candidates*. Under existing conditions, the technology allows a voter to vote for a single candidate multiple times if cross-endorsed. The party the elector's vote is attributed to is listed as unknown on the machine tape at the end of the evening. Candidates should then get those unknown votes disbursed between parties based on the percentage of votes received. For example:

Candidate John Doe is with a major party (Party A) but is cross-endorsed by a minor

party (Party C). The tape would read:

John Doe	Party A	650
John Doe	Party C	350
John Doe	Unknown	100

At the end of the night, the moderator would distribute the unknown votes between Party A and Party C as follows:

John Doe	Party A	715	(650 votes + 65 unknown votes)
John Doe	Party C	385	(350 votes + 35 unknown votes)

Under HB 6429, a voting tabulator approved by the Secretary of State must be constructed so that multiple votes for cross-endorsed candidates are treated as overvotes. "[S]uch tabulator shall afford the elector an opportunity to immediately revote if such elector has overvoted." This change in our voting system would potentially disenfranchise voters by changing policy and would slow down the election process. Under the proposed bill, if an elector does overvote, he or she must (a) get a new ballot, (b) make sure his/her intent is known on the ballot and make a request to have the ballot hand counted at the end of the evening or (c) ask for an override, in which case his or her vote will not count in that race. No provision is made in the bill for electors who vote by absentee ballot and cast more than one vote for a cross-endorsed candidate. A notice on the ballot may solve some of the confusion surrounding cross-endorsed candidates but not all. In fact, a notice on the ballot could lead to more voter confusion.

The League supports procedures to minimize voter inconvenience and the use of voting systems and procedures that provide fairness to all voters. We oppose this proposed bill as it will not lead to minimizing voter inconvenience and has the potential for disenfranchising voters – the antithesis of voting systems and procedures that are fair to all voters.

The League asks you to vote against HB 6429.

SB 774 – An Act Concerning The Dissemination of Information Concerning Voting Rights to Persons Being Released From Department of Correction Facilities.

The League supports SB 774 AAC *The Dissemination of Information Concerning Voting Rights to Persons Being Released From Department of Correction Facilities*. The League believes the political process must be open to all citizens and that the right to vote with confidence in the election process and with adequate information with which to make informed decisions must be guaranteed for all. To achieve these goals, the LWVCT supports:

- expanded opportunities for the registration of potential voters via the Internet and through use of off-site, off-hour registration sessions, increased use of Mail-in applications and applications submitted through various state agencies;
- instruction by state and local officials on proper voter registration procedures for those distributing voter registration applications; and
- outreach to potential voters, such as high school students and new citizens, by town and state elections officials.

A person discharged from a Department of Correction facility, and if applicable parole, has the same rights as any elector under CGS 9-46a. While the Commissioner of Corrections is currently required to establish procedures to inform people being discharged from confinement of their right to have their voting privileges restored, this bill would bring uniformity to those procedures and require that each person being discharged receive a packet of information regarding his or her voting rights. Providing people with voter registration information at the time of their release from incarceration is, we believe, a natural extension of providing outreach materials to potential voters and expanded opportunities for voter registration.

SB 777 – An Act Concerning More Rapid Identification of Voters by Bar Codes.

The League supports SB 777 *AAC More Rapid Identification of Voter by Bar Codes* in concept. In the polling place, the checker acts as the safeguard against voter fraud by identifying a person and checking him or her in. Provided that the checker looks at the ID and confirms that the person on the ID is the person who is in front of them, this part of the process should work. The League supports technology that is secure, accurate, recountable, accessible and transparent (SARAT). We further support consideration of a broad range of options that meet the SARAT criteria and keep pace with evolving technology. With appropriate procedures and safeguards, we believe that making use of the bar codes on state issued IDs would meet these standards.

SB 778 – An Act Concerning The Reduction of Polling Places for a Primary.

SB 778 *AAC The Reduction of Polling Places for a Primary* allows for a reduction in the number of polling places for a primary if the Registrars and candidates agree and the voters are notified. The purpose of the bill is to permit small towns to reduce the number of polling places for primaries; however, the bill does not define what a small town is. As noted earlier in our testimony on HB 6427, the League supports a reduction in the number of polling places for all communities for a primary.

SB 779 – An Act Concerning Overvoting of Cross-Endorsed Candidates.

The League opposes SB 779 *AAC Overvoting of Cross-Endorsed Candidates*. Under the current system, a cross-endorsed candidate may receive multiple votes on the same ballot, which will only count as one. It is not treated as an overvote. This bill would turn that system on its head and require the voting tabulator to reject any ballot as an overvote where the voter fills in more than one oval for a cross-endorsed candidate, whereupon the voter would be instructed to fill out a new ballot. As noted earlier in our testimony on HB 6429, treating multiple votes for cross-endorsed candidates as overvotes has the potential for disenfranchising voters and will slow down the voting process. The League's position is that we should look to minimize voter inconvenience and make use of voting systems that are fair to all.

SB 901 – An Act Concerning Post-Election Audits.

The League believes that voting systems must be secure, accurate, recountable, accessible and transparent (SARAT). Connecticut's current law requires officials to perform manual post-election audits of machine-counted ballots in a randomly selected 10% of the state's voting districts after each election. The purpose of this law is to assure the integrity of our elections, to reassure voters as to the accuracy of election

results, and to safeguard our elections against programming errors, malfeasance, machine malfunction, tampering and fraud. The League believes that, instead of weakening existing laws, the legislature should make our state's post-election audit procedures more transparent, consistent, and reliable.

While the League believes in efficient and economical government, we strongly oppose SB 901, which would substitute machine based audits for the current system of manual audits and limit the number of districts in a municipality that could be selected for audit to three for the following reasons:

- We believe that running the ballots through an alternate (back-up) machine with a memory card that's been programmed at the same time in the same manner with the same coding on it as the original card is essentially meaningless. This process simply repeats whatever errors might have originally been involved. As noted in the LWVUS' *Report of the Election Audits Task Force*, "[a]n audit count that simply repeated the original counting procedure, whether electronically or by hand, would add little value to the election-validation process."
- While there may be secure and accurate ways of using another machine to audit a voting tabulator, the proposed legislation does not contain safeguards, such as independent testing of memory cards and clear chain-of-custody requirements for all critical audit components such as ballots, memory cards, moderator reports, etc., to reassure us that this so.
- Placing a cap on the number of districts (3) that can be audited from the same town puts an unfair burden on smaller/medium-sized towns that tend to have larger voting districts (therefore more ballots to count) than our cities have and makes it more likely that those towns will be selected for audit.
- Implementation of our current audit procedures needs improvement.

Again as noted in the League's *Report of the Election Audits Task Force*, "manual counts, properly done with carefully designed protocols and transparency, are currently the preferred and accepted procedure for election audit counts." Our current audit law is a check on the accuracy of our voting equipment—at a time when checks-and-balances in elections are increasingly important.

Please vote "NO" on SB 901.

Thank you again for the opportunity to comment.